

**Board of Registration of Massage Therapy**  
**May 11th, 2015 Public Session Meeting Minutes**  
**Location: 1000 Washington St. Boston, MA 02118, Room 1D**

**Present:**

**Board members:**

Paul Andrews, Board Chair  
Alexei Levine, Board Member  
Matt Olds, Board Member  
Ann Marie Kennedy, Board Member

**Board members not in attendance:**

Sherri Sarmento  
Jennie Pelletier

**DPL Staff:**

Neldy Jean Francois, Executive Director  
Ana Garcia, Assoc. Executive Director  
Peter Kelley, Board Counsel  
Wendy Solis, Board Administrator  
FeiYan Chen, Board Administrator  
Shawn Croke, Board Investigator

**Item 1) 10:05 a.m.      Meeting called to order**

- **Housekeeping and Evacuation Procedure** – Associate Executive Director detailed the evacuation plan to be followed in the event of an emergency.

**Item 2) 10:07 a.m.      Board Meeting Minutes:**

**April 13<sup>th</sup> 2015** Mr. Olds moved to approve the Executive Session minutes for the April 13<sup>th</sup>, 2015 monthly board meeting as amended. Ms. Kennedy second. Motion passed unanimously.

Mr. Olds moved to approve the Public minutes for the April 13<sup>th</sup> 2015 monthly board as amended. Ms. Kennedy seconded. Motion passed unanimously.

**Item 3) 10:10 a.m.      Review of Policy re: Curriculum Guidelines- Executive Director**

Executive Director discussed curriculum guidelines.

Proposal to revise the guidelines to allow MT theory and technique credit for those that have completed a NCBTMB or MBLEX exam within a reasonable time frame to be set by the board. Applicants must otherwise have completed a board-approved course of study, so exempt modalities are still excluded under these guidelines.

Mr. Levine moved to approve consideration of (100) hours of Massage Theory and for applications that have taken the National exam after May 1<sup>st</sup>, 2010 to present, with a passing score. Mr. Olds seconded. Motion passed unanimously.

**Item 4) 10:29 a.m.      Board Counsel Report: Peter Kelley, Esq.**

- Mr. Kelley the Legal Counsel presented Executive order # (562) by Governor Charlie Baker.
- Mr. Kelley suggested on a 30 minute listening session before the next Board meeting on June 8<sup>th</sup>. If those listening session needs to expand it will need to be half hour prior to any monthly meeting.
- Members propose an initial ½ hour listening session on the individual regulations followed by a similar session in July on the facility regulations.

**Item 5) 10:41 a.m.      Applicant Review:**

During the individual application reviews, the Board voted to take the following action:

- **Appl.# 13809 (KL)-Approved**
- **Appl.# 2931 (CS)- Approved**
- **Appl.# 13823 (AB)-Denied**

**Item 6) 11:08 a.m.      Candidate Interviews: [*Executive Session – closed session pursuant to G.L.30A***

Mr. Olds moved to enter into an Executive Session *pursuant to G.L.30A §21(1)* to discuss the character rather than competence of applicants for licensure. Ms. Kennedy seconded. After taking a roll call vote (all “yes”), motion passed unanimously.

After the Executive Session, the open meeting resumed.

**Item 7) 11:48 a.m.      Application review: [*Executive Session-closed pursuant to G.L. c. 30A, Section 21(a) (7) to comply with the confidentiality provisions of the Mass. CORI statute, G. L. c. 66, § 10; G. L. c. 4 § 7, ¶ 26(a), G. L. c. 6, § 172*]**

Mr. Levine moved to enter into an Executive Session *pursuant to G.L.30A §21(1)* to comply with the Public Records Law and to comply with the confidentiality provisions of the MA CORI statute. Mr. Olds seconded. After taking a roll call vote (all “yes”), motion passed unanimously.

After the Executive Session, the open meeting resumed.

**Item 8) 12:01 p.m.      Correspondence follow up:**

Mr. Levine moved to suspend the Executive Session and enter open session to conduct Correspondence Follow up Ms. Kennedy seconded. After taking a roll call vote (all “yes”), motion passed unanimously.

- ***Discussion of email from Debra Jean LeBurn to Wendy Solis- regarding cupping and vacuum.***  
Mr. Olds moved to approve dry cupping as within the scope of MT practice. Mr. Levine seconded.

**Item 9)12:10 p.m.      Investigative Conference: Review Cases [*closed session pursuant to MGL c. 112, §65C*]**

Mr. Andrews moved to suspend the open meeting and enter closed session to conduct an investigative conference pursuant to *MGL c. 112, §65C* to review and discuss cases, including appeals. Mr. Levine seconded. Motion passed unanimously.

During the Investigative Conference the Board voted to take the following action:

- **MT-14-087**-Forward to prosecutions
- **MT-15-083**- Dismiss
- **MT-15-047**-Tabled for June . Invite licensee in.
- **MT-15-127**-Forward to prosecutions
- **MT-15-093**-Dismiss
- **MT-15-111**-Dismiss
- **MT-15-141**-Forward to prosecution

**Item 10) 12:37 p.m.      Final Decision and Order** [*Closed Session deliberative review: closed session pursuant to G.L.30A §18 (5) (d)*]

Mr. Olds moved to continue the closed session to conduct quasi-judicial deliberations pursuant to G.L, c. 30A, s. 18 (5)(d). Mr. Levine seconded. Motion passed by unanimous consent.

Board deliberated on the final decision and orders presented by board counsel.

**Item11) 12:48 p.m.      Settlement Conference:** [*closed session pursuant to MGL c. 112, §65C*]

Ms. Kennedy motion to suspend the open meeting to conduct a settlement conferences pursuant to *MGL c. 112, §65C* to discuss the terms of a settlement agreement. Mr. Levine seconded. Motion passed unanimously.

Board discussed settlement offers presented by prosecuting counsel.

At the end of the Closed Session, the open meeting resumed:

**Item 12) 12:10 p.m.      Correspondence:**

- *Email from Johanna Gorton- Equinox Regional Spa Manager to Wendy Solis- regarding “mashing or Thai Mashiasu”.*

Mr. Levine moved to find Thai Mashiasu to be outside the scope of MT practice. Mr. Olds seconded. Motion passed unanimously.

**Item 13) 12:54 p.m.      Adjournment:**

Ms. Kennedy moved to adjourn the meeting. Mr. Olds seconded. Motion passed unanimously.

Respectfully Submitted,

/s/ Wendy Solis  
Board Administrator